

## Part 335c—Investigations of Petitioners for Naturalization

### Subpart A—Substantive Provisions

Sec.

335c.1 Investigations; authority to waive.

### Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

#### SUBPART A—SUBSTANTIVE PROVISIONS

§ 335c.1 *Investigations; authority to waive.* The authority to waive personal investigations of petitioners for naturalization under the provisions of section 335 (a) of the Immigration and Nationality Act may be exercised by district directors.

(Sec. 103, 66 Stat. 173. Interprets or applies secs. 316, 319, 322, 323, 328, 332, 335, 66 Stat. 242, 244, 246, 249, 252, 255) [17 F. R. 11552, Dec. 19, 1952]

### SUBPART B—PROCEDURAL AND OTHER NON-SUBSTANTIVE PROVISIONS [RESERVED]

## Part 336—Proceedings Before Naturalization Court

### Subpart A—Substantive Provisions [Reserved]

### Subpart B—Procedural and Other Nonsubstantive Provisions

Sec.

336.11 Notice to Service; personal representation of Government at naturalization proceedings.

336.12 Written report in lieu of personal representation.

336.13 Preparation of lists and orders of court for presentation at final hearing.

336.14 Presentation of designated examiner's and Commissioner's recommendation at final hearing.

336.15 Final hearing: sickness or disability of petitioner: investigation.

336.16 Final hearing: waiver of 30 day period.

336.17 Substitution of witnesses: procedure.

**AUTHORITY:** §§ 336.11 to 336.17 issued under sec. 103, 66 Stat. 173. Interpret or apply secs. 332, 335, 336, 337, 66 Stat. 252, 255, 257, 258.

**SOURCE:** §§ 336.11 to 336.17 appear at 17 F. R. 11552, Dec. 19, 1952.

#### SUBPART A—SUBSTANTIVE PROVISIONS [RESERVED]

#### SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 336.11 *Notice to Service; personal representation of Government at naturalization proceedings.* At least thirty days prior to the holding of any naturalization proceedings referred to in section

336 (d) of the Immigration and Nationality Act, the clerk of the naturalization court shall give written notice to the appropriate district director or officer in charge of the time, date, and place of such proceedings. Such notice may be waived by the district director or officer in charge. Final naturalization hearings or other naturalization proceedings shall, whenever practicable, be attended personally by naturalization examiners or other members of the Service, who shall present to the court the views and recommendations of the designated examiner and the Commissioner, as appropriate. In those cases in which the recommendation of the Commissioner does not agree with that of the designated examiner, a member of the Service other than the person who conducted the preliminary examination shall, whenever practicable, represent the Service before the court. Such representative may cross-examine the petitioner and his witnesses and may call other witnesses and produce evidence concerning any matter affecting the petitioner's eligibility for naturalization. In cases in which it appears to be necessary, the representative in attendance at the proceedings, shall have a stenographic report made of the testimony given in the proceedings.

§ 336.12 *Written report in lieu of personal representation.* In any case in which a preliminary interrogation or preliminary examination has been conducted pursuant to Part 332 or Part 335 of this chapter, and it is impracticable thereafter for a representative of the Service to be present at the final naturalization hearing, written notice of that fact shall be given by the Service to the court. The petitions set down for hearing shall be listed on the appropriate form prescribed by § 336.13. The grounds for objection, if any, shall be supported by the memoranda required by §§ 335.12 and 332.14 of this chapter. If continuance of the petition is desired, the basis therefor shall be set forth. The forms and memoranda shall be transmitted to the clerk of court, who shall submit the appropriate lists and orders to the court, in accordance with the procedure described in § 336.13.

§ 336.13 *Preparation of lists and orders of court for presentation at final hearing.* (a) At or prior to the final naturalization hearing the representative attending the hearing shall submit to the court lists and orders of court, in